

Historic Boulevard Neighborhood Association Position Statement on the demolition by neglect and/or moving of two residential structures on South Pope Street by the Emmanuel Episcopal Church

March 7, 2006

The situation facing the two structures on Pope Street owned by Emmanuel Episcopal Church is dire. The neglect has been of the church's own making and is threatening the structures known as the Meeting House and the Youth House. Rehabilitation costs have escalated because of the lack of minimum maintenance and investment since at least December 2002. In February 2004 the Vestry removed all support for the buildings and decided they should be "removed or relocated ... as promptly as possible." This is documented in the minutes of the Vestry and submitted as part of their application for a Certificate of Appropriateness (COA). "Demolition by Neglect" (the act of allowing a building to be demolished by not providing normal maintenance over a long period of time) is a violation of the ACC Property Maintenance Code and is handled by the Building Inspections Department.

(CHAPTER 3-13. NUISANCE ABATEMENT

Sec. 3-13-3. Unsafe dwellings, buildings, structures, or properties)

The current COA application is for the removal of only one of the structures, even though they admittedly want both structures removed. (*Minutes: Emmanuel Vestry, February 24, 2004*)

Many additional issues are related to the COA application submitted to the Athens-Clarke County Historic Preservation Commission (to be heard on Wednesday March 15, 2006).

- The application as submitted omits many of the required future use plans for the site after the building is moved. The church may be presuming that the building itself is the only historic resource under consideration; however, the site, the landscape, the urban design features and the other structures all comprise the ensemble of historic features that contribute to historic district character. (Once buildings are moved they are often considered "non-contributing" by federal historic preservation standards and become ineligible for federal funds and incentives. So it can be argued that moving the buildings will remove some of their value.)
- The church's application refers to a "near term use" of the property as a "park-like open space" but say nothing about long term use of the site. They provide an elevation of the proposed move-to site: the corner of Barber at Barrow. They also have an artist's rendering of the site after the move, which has BOTH structures removed. These factors point to a poorly prepared application if not an inaccurate one. The HPC is bound by the conditions of the ordinance and their guidelines to review:
 1. The conditions of the move.

2. The site where the buildings would be relocated.
 3. The long term use of the site from which the buildings are being moved.¹
- The application includes a March 01, 2006 letter from a real estate appraiser (Stephanie Bankston of the Boswell Group) whose opinion is that the structures are in poor condition and are uninhabitable. However, the church commissioned two design, planning and construction firms (Surber, Barber, Choate and Hertlein) in November 2002 and (Robinson Fisher Associates) January 2002. Both firms submitted plans that recommended retaining the structures and one (Surber) even gave cost estimates showing that both structures were viable for reuse. Neighborhood residents have provided names of local restoration carpenters who have rehabilitated several structures in the area (some in far worse shape) at lesser cost. These entreaties were deemed unnecessary.
 - The “park like setting” that is suggested to replace the buildings neither conforms to sound urban design principles, ACC’s comprehensive plan nor to established historic development patterns evidenced on the street or in the neighborhood. In fact, the COA application mentions planting shrubs, creating play and public worship areas and installing fences which also are contrary to the neighborhood’s historic development patterns.
 - Equally bothersome in the application is the indication that by ridding themselves of the structures the church will have more resources to devote to the Cobb House. The COA process is not one of bargaining and trade-offs. Their assertion that this might be part of the deal disregards the fair, impartial and quasi-judicial process that must be followed by the HPC in local district review. By law, the HPC should not consider anything other than the issues related to the property in question and the proposed activity.
 - The HPC must review the application and cannot issue a COA if any of these three criteria are true²:

¹ (c) *Consideration of predemolition plans.* A public hearing shall be scheduled for each application for demolition. Notice shall be given in Athens-Clarke County's legal organ and/or newspaper of general circulation within Athens-Clarke County at least one time not less than ten days nor more than 20 days prior to the public hearing.

(d) *Consideration of post--demolition plans.* The historic preservation commission shall not grant a certificate of appropriateness for demolition permission without reviewing at the same time the plans for the historic property.

² (e) *Demolition or relocation criteria.* The historic preservation commission's decision concerning the certificate of appropriateness for demolition or relocation of a historic site, landmark, or building shall be based on the following criteria:

- (1) The structure is of such interest or quality it would reasonably meet national, state, or local criteria for designation as a historic property.
- (2) The structure, building, object or work of art is of such unusual or uncommon design, texture or materials that it could not be reproduced or be reproduced only with great difficulty and expense.

1. “If the property meets national or local standards”
The properties are contributing properties to the National Register Historic District listed in 1985. They also, obviously, meet the criteria for designation as a local district since it has been part of the local Historic Boulevard District.
2. “Cannot be reproduced without great difficulty or expense”
The buildings cannot be replicated in today’s market with similar materials and craftsmanship without great investment; however they can be rehabilitated at a much lower cost.
3. “Aids substantially to the historic and aesthetic qualities of the district”
These properties are indicated on the 1926 Sanborn Fire Insurance maps as part of an ensemble of structures along Pope Street. They frame the Howell Cobb House; the framing of a punctuated vista is one of the predominant characteristics of 19th century and early 20th century American residential development ... as well as classic attributes of pre-colonial city building in other parts of the world.

The proper hierarchical preservation response to this situation is:

1. Preserve the buildings on their current sites. Restoration as residential structures would be the highest level preservation solution. This can be accomplished by current owners or, if that is undesirable, the church should seek new owners for the buildings.
2. Sensitive rehabilitation of the structures for a non-residential use would be the next best preservation option. This option allows changes to the properties that can benefit owners so that the properties become more marketable and useful for contemporary functions. Countless examples of churches using nearby residential structures exist all over the country. Emmanuel should be encouraged to be equally creative and neighborhood friendly.
3. The last possible option before demolition should be moving the buildings. This is not a preservation alternative. It should be considered when the only other option for the buildings would be demolition.
Moving buildings is not a preservation treatment; it should be seen only as

(3) Retention of the structure, building, object or work of art would aid substantially in preserving and protecting a structure, building, object, work of art, or district which meets subsections (1) or (2) hereinabove.

Where the historic preservation commission determines that one or more of these criteria are met, no certificates of appropriateness shall be issued and the application shall be denied.

a way to avoid permanent destruction! Most importantly, what replaces the buildings should not be contrary to existing development patterns – for example, if the buildings are demolished then the preservation commission should require the church to replace them in-kind or provide structures with similar form, scale, vista-framing, height, materials and set-back. Replacing them with open space is not a compatible or sensitive option.

Summary

Owning historic property in Athens is a privilege and responsibilities come with that privilege. The church has ignored its responsibilities to these structures for many years. Their negligence should not be rewarded with the granting of a COA to remove them.

Compelling arguments have not been made that their removal would advance the mission of the church. In fact the opposite has been proven by them, by the neighbors and by the community. They are useful buildings. The church has used them for years as extra classroom and youth facilities. They have rented out similar spaces and enjoyed an economic return from those rentals. They have proven with studies by professionals and from University of Georgia that the structures are easily rehabbed and can quickly be incorporated into a more creative and neighborhood-friendly master plan.

The obvious position of the church has been delay and obfuscation. They have allowed the buildings to face a perilous future in the hopes that moving them would be the final solution.

We therefore recommend that the HPC deny the current application for relocation of the Meeting House (685 Pope Street), deny the future application for relocation of the Youth House (693 Pope Street), and require that minimum maintenance be done on both structures to avoid further deterioration.